

Application No.: 09/552,252

6

Docket No.: 416272002220

**REMARKS/ARGUMENTS**

A Notice of Allowance was mailed on February 15, 2004. Prior to issuance, under 37 CFR 1.312, Applicants request entry of this amendment to simplify claim 1 in the present application as discussed in the interview January 31, 2005. The word "untransformed" which the applicants are requesting the deletion of is mere surplusage. The transformed plant tissue that is green, shiny, nodular and compact in step b of claim 1 may be compared to untransformed monocot plant callus tissue or to transformed monocot plant callus tissue. The essential comparison is to plant callus tissue. This is the form of Examiner's amendment that the applicant intended to authorize.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 416272002220. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: March 10, 2005

Respectfully submitted,

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